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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/562,030	12/21/2006	Jorgen Ekelof	10400C-000202/US	5555

30593 7590 01/23/2009
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EXAMINER

TUGBANG, ANTHONY D

ART UNIT	PAPER NUMBER
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3729

MAIL DATE	DELIVERY MODE
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01/23/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/562,030	Applicant(s) EKELOF ET AL.	
	Examiner A. Dexter Tugbang	Art Unit 3729	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 October 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) 12 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 13-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/22/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION***Election/Restrictions***

The applicant(s) election with traverse of the invention of Group I, Claims 1 through 11 and 13 through 15, in the reply filed on October 10, 2008, is acknowledged. The traversal is on the ground(s) that there is clear technical relationship between Group I and Group II. This is not found persuasive because while the applicant(s) recite the technical features that are common to both Group I (i.e. Claim 1) and Group II (i.e. Claim 12), it is the special technical features that are NOT common to each group that warrants the lack of unity, as noted in paragraph #2 of the last office action (Restriction Requirement, mailed on September 11, 2008). Each group having its own unique special technical feature would place a burden on the examiner for several important reasons, such as different classification searches, i.e. product and method, different text searching, the application of completely different art, or even different case law. Therefore, the requirement is still deemed proper and is therefore made FINAL.

NOTE: Upon further consideration by the examiner, the election of species requirement of Species I-A through I-G has been withdrawn. Group I, Claims 1 through 11 and 13 through 15 in its entirety, will be examined on the merits as noted below.

Claim 12 has been withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected invention, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on October 10, 2008.

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Specification

The abstract of the disclosure does not commence on a separate sheet in accordance with 37 CFR 1.52(b)(4). A new abstract of the disclosure is required and must be presented on a separate sheet, apart from any other text.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1 through 11 and 13 through 15, are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In Claim 1, the phrases of “the periphery” (line 3) and “the whole interior cavity” (line 9), each lack positive antecedent basis. Furthermore, the phrase of "essentially" (line 9) is confusing and misleading and contradicts the open ended transitional phrase of “comprising” (line 2).

The same problems in Claim 1 above also occur in each of Claims 4, 9 and 13, with the recitation of “essentially”.

In Claim 3, “the end” (line 3) lacks positive antecedent basis.

In Claim 6, it is unclear what previous element is “it” (line 3) referring to.

In Claim 8, it is unclear what is meant by the phrase of "a from said ribbon protruding part of said layer" (line 2).

In Claim 13, “the periphery” (line 3) lacks positive antecedent basis.

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In Claim 15, the phrase "such as" (line 2) renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 14 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Fukunaga et al 4,603,314.

Fukunaga discloses the final structure of a transformer (in Figs. 4, 5) comprising: a coil (2), one hollow bobbin (e.g. 4, 5, 11) where ends of the bobbin define an opening, a ribbon of magnetic material (4) that is placed in the opening and a whole interior cavity (in Fig. 3D) of the bobbin is filled with the ribbon, thereby forming a core.

NOTE: The method of how the transformer is made (e.g. arranging, bending, feeding, etc.) has no impact on the final structure of the transformer. See MPEP § 2113.

Allowable Subject Matter

Claims 1 through 11 and 13, would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

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The following is a statement of reasons for the indication of allowable subject matter.

The prior art does not teach all of the limitations of the claimed manufacturing method including:

bending the at least one bobbin, together with the coil, so that the bobbin ends are brought towards each other, one of the bobbin ends defining an opening; and

feeding a ribbon of magnetic material through the opening, so that the ribbon is being wound a required amount of tightly packed winding turns inside the bobbin until the whole interior cavity of the bobbin is filled (as recited in Claim 1).

Also, the prior art does not teach all of the limitations of the claimed system including:

means for bending the at least one bobbin, together with the coil, so that the bobbin ends are brought towards each other, one of the bobbin ends defining an opening; and

means for feeding a ribbon of magnetic material through the opening, so that the ribbon is being wound a required amount of tightly packed winding turns inside the bobbin until the whole interior cavity of the bobbin is filled, the ribbon thereby forming a core (as recited in Claim 13).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to A. Dexter Tugbang whose telephone number is 571-272-4570. The examiner can normally be reached on Monday - Friday 8:15 am - 4:45 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bryant can be reached on 571-272-4526. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

**/A. Dexter Tugbang/
Primary Examiner
Art Unit 3729**

January 21, 2009